HAMILTON COUNTY

----INDIANA

COURTS

COURT ADMINISTRATION
ATTENTION: LEGAL HELP CENTER
1 Hamilton County Square
Suite 313
Noblesville, IN 46060
Directions

Phone: 317-776-8428 Ext. # 68428

Legal Self-Help Center

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Legal Self-Help Center

Hamilton County

Goal

Provide help to unrepresented litigants and those who cannot afford legal assistance in Hamilton County.

Description

The Hamilton County Legal Self-Help Center (Center) provides legal information to Hamilton County residents who have a potential or current civil court case in Hamilton County and are in need of legal assistance.

Objectives

- Assist unrepresented litigants with on-line filing
- ➤ Offer legal information to unrepresented *litigants to assist in completing available Court* forms and documents
- Provide legal and procedural information regarding court process
- ➤ Provide referrals to free and low-cost legal services

Projected outcomes

- > Improved court efficiency
- Unrepresented litigants more knowledgeable of court process and procedures
- Increased number of completed cases
- ➤ Increased number of unrepresented litigants with access to Court and satisfactory opinion of their experience

Targeted participants

Center participants must meet financial eligibility standards established by the State to utilize the services offered. Limited services are available to participants who do not meet financial eligibility standards and/or own substantial assets. The Center is available to Hamilton County residents who need help e-filing civil cases regardless of financial eligibility.

HAMILTON COUNTY LEGAL SELF-HELP CENTER

Do you need help picking the right legal forms? Are you having trouble getting your case filed? Are you not able to afford to hire an attorney?

You may be able to get help from the Hamilton County Legal Help Center.

CENTER HOURS AND SERVICES

RECEPTIONIST	ATTORNEY
DAILY	MAY 4 th , 6 th , 18 th , and 20 th
	JUNE 1 st , 15 th , 17 th , and 24 th
	JULY 6 th , 8 th , 20 th , and 22 nd
	AUGUST 10 th , 12 th , 17 th , and 19 th
	SEPTEMBER 7 th , 9 th , 21 st , and 23 rd
	OCTOBER 5 th , 7 th , 19 th , and 21 st
	NOVEMBER 2 nd , 4 th , 9 th , and 23 rd
	DECEMBER 7 th , 9 th , 14 th , and 21 st
Monday-Wednesday	Wednesday (Twice a month)
8:30 a.m12:30 p.m.	9:30 a.m1:30 p.m.
(Telephone intake 8:30 a.m10:30 a.m.)	
Thursday-Friday	Friday (Twice a month)
12:30 p.m4:30 p.m.	1:30 p.m4:30 p.m.
(Walk-ins 12:30 p.m1:30 p.m.)	
Appointments Available	By Appointment Only
	ASSISTANCE PROVIDED
E-file ASSISTANCE	What Indiana State Court Form Do I Use?
	ELIGIBILITY
	eligibility standards established by the State to utilize all services
	e to participants who do not meet financial eligibility standards d/or own substantial assets.
Hamilton County residents who need help e-filing civil cases.	Eligible unrepresented litigants who need assistance in selection and completion of court forms.
noip o ming civil cases.	beleetion and completion of court forms.

SERVICES OFFERED:

- ASSISTANCE IN SELECTION AND COMPLETION OF INDIANA SUPREME COURT FORMS
 - O CHILD SUPPORT (MODIFY, REDUCE, OR TERMINATE)
 - CONTEMPT
 - CONTINUANCE
 - o DIVORCE
 - O FEE WAIVER
 - O NAME CHANGE
 - O MORTGAGE FORECLOSURE: REQUEST A SETTLEMENT CONFERENCE
- REFERRALS

MEDIATION • FAMILY COUNSELING• PARENTING TIME COORDINATION• SOCIAL SERVICES

• ASSISTANCE IN E-FILING COURT DOCUMENTS

E-FILE ASSISTANCE: Call or send email to schedule	OTHER SERVICES:
an appointment for e-file assistance.	Mail or Email Intake/Application
Court Administration	
Attention: Legal Self Help Center	Phone: 317-776-8428 Ext. # 68428
1 Hamilton County Square, Suite 313	Email: legalselfhelp@hamiltoncounty.in.gov
Noblesville, IN 46060	

While the Center can assist you in the selection and completion of certain Court forms, efiling, and provide limited referrals for other types of assistance, the Center <u>WILL NOT</u> be providing legal advice or assistance or representing you in Court. It is best to have an attorney represent you in a legal matter. Before using the services of the Help-Center, you may want to contact the agencies below to see if you qualify for legal help.

District 6	P.O. Box 325	Guardianship, Mortgage
Access to	New Castle, IN 47362	Foreclosure, Divorce, Small Estates,
Justice, Inc.	(800) 910-4407	Landlord/Tenant, and other civil
	www.myjustice.org	matters. No Criminal, Fee-
	Online intake:	Generating Cases, or Immediate
	http://www.in.gov/judiciary/probono/files/providers	Assistance.
	-6-intake.pdf	
	Office intake: 765-521-6979	
Indiana Legal	151 N. Delaware, Suite 1800	Family Law, Consumer Law, Senior
Services-	Indianapolis, IN 46204	Law, Housing Issues, and Public
Indianapolis	(800) 869-0212	Benefits
	(317) 631-9410	
	www.indianajustice.org	
	Hours:	
	Phone intake: Mon. & Fri., 9-11 a.m.; Wed.1-3 p.m.	
	Walk-in intake: Wed 9-11 a.m.; Tu/Th 1-3 p.m.	
Indianapolis	615 N. Alabama, Suite 122	Adoption, Paternity, Visitation,
Legal Aid	Indianapolis, IN 46204	Guardianship, Support, Custody,
Society, Inc.	(317) 635-9538	Divorce, Housing, Bankruptcy, and
	Office hours; MonFri. 9 a.m5 p.m.	Debt Collection. No assistance for
	www.indylas.org	fee-generating cases, and criminal
		issues.

If you **CAN** afford to hire an attorney, but do not know where to find a legal professional, one of the following BAR ASSOCIATIONS may be able to help you begin your search for an attorney.

Hamilton County Bar Association

Indiana State Bar Association

1312 Maple Avenue Noblesville, IN 46060

http://www.hamiltoncountybar.com/

http://www.inbar.org/

Domestic Violence Notice: If the safety of you or your children is in danger, call 911 for help or 211 to seek the assistance of a local domestic violence organization.

Hamilton County:

Prevail, Inc. - 1100 South 9th Street, Suite 100, Noblesville, IN 46060

Phone: 317.773.6942

Web address: http://www.prevailinc.com/

HAMILTON COUNTY LEGAL SELF-HELP CENTER FOR Unrepresented Litigants

	INTAKE I	FORM/APPLICATION	
Date:			
Participant Name:		Any Prior Names:	
Street Address	City/State/Zip		How long have you lived in Hamilton County?
Phone # (H)	May we leave a me	essage at this number? \Box Yes	□No
Phone # (W)	May we leave a me	essage at this number? Yes	□No
Phone # (C)	May we leave a me	May we leave a message at this number? □Yes □No	
Email Address:			
Marital Status:		Number of Minor	Pregnant?
☐ Married How long	?	Children:	□Yes □No
□Unmarried			Disabled?
□Divorced Date:			□Yes □No
			I
Referred By:	□Clerk's Office		
·			
Center participar	ts must meet financ	cial eligibility standards	established by the S
to utilize all serv	ices offered. Limite	ed services are available ty standards and/or own	to participants who
deral Poverty Level	as published by the l	Foundation for Health Co	verage Education
Note: P	regnant women count	as two people for the purpo	se of this chart.
		tes and the District of Colum	
Federal Poverty Gui		250% Federal Poverty G	

2015 Federal Poverty	015 Federal Poverty Level as published by the Foundation for Health Coverage Education				
Note: Pregnant women count as two people for the purpose of this chart.					
48 Contiguous States and the District of Columbia					
250% Federal Pover	ty Guidelines	250% Federal Pove	rty Guidelines		
Family Size (# of	Gross Yearly Income	Family Size (#	of Gross Monthly Income		
dependents)		dependents)			
1	\$ 29,425	1	\$ 2,452		
2	\$ 39,825	2	\$ 3,319		
3	\$ 50,225	3	\$ 4,185		
4	\$ 60,625	4	\$ 5,052		
5	\$ 71,025	5	\$ 5,919		
6	\$ 81,425	6	\$ 6,785		
7	\$ 91,825	7	\$ 7,652		
8	\$ 102,225	8	\$ 8,519		

If you feel you may qualify for services, please complete pages 1-2 and submit your application electronically or by mail.

Are you receiving Public Assistance?		Do you claim the child/children on your income		
□Yes □No		taxes? \(\text{Yes} \text{No} \)		
Employer:		Employer:		
Address:		Address:		
Gross Monthly Income:	ist ALL income public	Present Job	\$	
assistance, unemployment,		Overtime/Tips	\$	
interest, dividends, rent, etc		Souse's Income	\$	
interest, dividends, rent, etc		Child Support	\$	
		Spousal Support	\$	
		Social Security	\$	
		Disability	\$	
		Other	\$	
		Total Monthly Income:	\$	
Property: Real Estate		Total Wolting Income.	Ψ	
□OWN □RENT				
Property	Loan Balance	Monthly Payments		
Mortgage/Rent	\$	\$		
Second Mortgage	\$	\$		
Second Mongage	*	4		
Vehicles:				
Year/Make/Model		Loan Balance	Monthly Payments	
1.		\$	\$	
2.		\$	\$	
	ate & vehicles, list all other	assets below, including: ch	ecking & Savings	
		eferred compensation, retire		
investment accounts.	,	1	,	
TD.				
Type	Balance	Bank Name		
Type Checking	Balance \$	Bank Name		
Checking Savings		Bank Name		
Checking	\$	Bank Name		
Checking Savings	\$	Bank Name		
Checking Savings Credit Union	\$ \$ \$	Bank Name		
Checking Savings Credit Union 401K	\$ \$ \$	Bank Name		
Checking Savings Credit Union 401K Other Additional Household	\$ \$ \$	Bank Name		
Checking Savings Credit Union 401K Other	\$ \$ \$			
Checking Savings Credit Union 401K Other Additional Household	\$ \$ \$	Bank Name Monthly Income/Income	Source	
Checking Savings Credit Union 401K Other Additional Household Members	\$ \$ \$ \$		Source	
Checking Savings Credit Union 401K Other Additional Household Members	\$ \$ \$ \$		Source	
Checking Savings Credit Union 401K Other Additional Household Members	\$ \$ \$ \$		Source	
Checking Savings Credit Union 401K Other Additional Household Members	\$ \$ \$ \$		Source	
Checking Savings Credit Union 401K Other Additional Household Members Name/Age	\$ \$ \$ \$		Source	
Checking Savings Credit Union 401K Other Additional Household Members	\$ \$ \$ \$		Source	
Checking Savings Credit Union 401K Other Additional Household Members Name/Age Household Size:	\$ \$ \$ Relationship	Monthly Income/Income		
Checking Savings Credit Union 401K Other Additional Household Members Name/Age Household Size:	\$ \$ \$ Relationship	Monthly Income/Income to the best of my knowledge	e. I understand if I	
Checking Savings Credit Union 401K Other Additional Household Members Name/Age Household Size:	\$ \$ \$ Relationship	Monthly Income/Income	e. I understand if I	
Checking Savings Credit Union 401K Other Additional Household Members Name/Age Household Size:	\$ \$ \$ Relationship	Monthly Income/Income to the best of my knowledge	e. I understand if I	
Checking Savings Credit Union 401K Other Additional Household Members Name/Age Household Size:	\$ \$ \$ Relationship	Monthly Income/Income to the best of my knowledge	e. I understand if I	
Checking Savings Credit Union 401K Other Additional Household Members Name/Age Household Size:	\$ \$ \$ Relationship	Monthly Income/Income to the best of my knowledge	e. I understand if I	
Checking Savings Credit Union 401K Other Additional Household Members Name/Age Household Size:	\$ \$ \$ Relationship	Monthly Income/Income to the best of my knowledge	e. I understand if I	

OFFICE				□No		□Y€	es
	ticipant Qualify?			Stop Interview and Provide		Continue Interview	
Intake In	Intake Interviewer:		Direction to Self-Help				
		Resc		Resource	S		
Type of	Matter:						
□Petitio	n for Legal	□Peti	tion for I	Divorce	☐Petition for Divo	rce	☐ Information for
Separation	on	No Ch	ildren		Children		Contempt for Visitation
□Child	Support	\square Mo	dification	of Child	☐ Modification of		□Post-Divorce
		Suppo	rt		Visitation		Custody
	cipation of a		uest for '	-	☐Guardianship Re	port	□Post-Divorce
Minor			olding O				Parenting Time
□Patern	ity		all Claim	S	☐Other:		
			1				
	of the Litigants inv	olved	If so, p	olease list N	Matter and Court Loc	ation	
	other Court Case?						
□Yes□		C					
	e any indications of C Violence (DV)?	Ī	□Yes			Resou	rces/Send to Volunteer
Domestic	violence (DV)?			Attorney			
In Dantini			□No	,			
	pant interested in		□No	` 1			
Mediation?		•	ue Interview)				
Is Participant interested in Counseling?			terview and Send to	Volun	teer Attorney)		
			ue Interview)				
Is Participant interested in Parenting Time Coordination? □ No □ Yes			terview and Send to	Volun	teer Attorney)		
Parenting Time Coordination?		(Contin	ue Interview)				
G + G = D + G = G = G = G = G = G = G = G = G = G							
CASE DISPOSTION Participant Not Eligible							
	•						
Participant Eligible: ☐ Assisted in Form Selection							
□ Ass	isted in Form Com		D-4:4:	£	Detition for Disco		☐Petition for
	☐ Petition for		Petition ivorce w		☐ Petition for Divo with Children	rce	Modification of Support
	Legal Separation		hildren	itilout	with Children		Modification of Support
	☐ Modification of		Emanci	nation of			
	Custody		Minor	oation of			
	Custouj	- 1					
Referr	ed for Mediation				<u> </u>		<u> </u>
	ed for Family Cou	nseling					
	ed for Social Servi	- 	Agency:		Agency:		Agency:
Date Matter Closed:							
Date Ma	Date Matter Closed.						

HAMILTON COUNTY LEGAL SELF-HELP CENTER

Service Agreement

The Legal Self-Help Center (the "Center") helps low-income people with certain types of civil cases before a Hamilton County Court. Center participants must meet financial eligibility standards set by the State and not own substantial assets. The Center helps in the selection and completion of Court forms and when appropriate, provides referrals for low-cost mediation, family counseling, parenting time coordination, and other social services. In addition to meeting the eligibility standards, Center participants must initial acknowledgements below:

1.	The Cen	iter Provide	s Informatio	n and Re	eferrals	Only
----	---------	--------------	--------------	----------	----------	------

1. The Center Provides Information and Referrals Only
We understand that the Center volunteers, attorney, and personnel can only provide me with general information and service referrals. I further understand that Center volunteers, attorneys, and personnel may provide information to any qualified person, including the other party or parties in my case. The Center is neutral and does not epresent any specific party.
Initial:/
2. The Center Will Not Be Your Lawyer I/We understand that the Center volunteers, attorney, and personnel cannot serve as my lawyer and that no one associated with the Center represents me or any of my interests in my case. The attorney-client relationship between the Center and me will only exist during the short period of brief service I receive from the Center. I understand that no one from the Center will go with me to Court. I understand that any information that I may get is not a substitute for legal advice and that it is always good to hire a lawyer before going forward on my own. Initial:/

3. The Center Cannot Offer Complete Confidentiality or Conflict Protection

I/We understand that what I say to the Center volunteers, attorney, and personnel is not confidential in the same way it might be in other legal settings. While my information will be kept in confidence by any volunteer attorney, I understand that I have to get my own attorney if I want personalized advice or to have a confidential conversation.

Initial:	/	
----------	---	--

4. The Center Is Not Response	nsible For the Outcome of Your Case
the outcome of my case and that	volunteers, attorney, or personnel are not responsible for t I will be representing myself in the matter. I agree not trorney, or personnel liable for any outcome of my case
	Initial:/
	s Center Service Agreement and I understand and agree of my questions about the Center's services have been
Center Participant (s) Name:	Print
Signature:	Date:
Center Participant (s) Name:	Print
Signature:	Date:
Intake Interviewer:	

END OF DOCUMENT

HAMILTON COUNTY -----INDIANA----LEGAL SELF-HELP CENTER

PARTICIPANT ACKNOWLEDGEMENT/DISCLAIMER

Date:	Index/Case #:
Your Name:	
Address:	
Sign your INITIALS next to each of the sentences I understand that:	below.
• The Help Center will provide me with legal information.*	(initial here)
The Help Center will not give me legal advice.**	(initial here)
 The Help Center is available to help both sides in my case. 	(initial here)
 Help Center does not serve as my lawyer; the Help Center is not representing me in my case. 	(initial here)
I have read these statements or they were read to	me. I understand what they mean.
Print Name	Signature

^{*}Legal information is information about court procedures and options, court rules, legal definitions, other places to go for help.

^{**}Legal advice tells you how the law applies in your case and tells you the best way to handle your case. Help Center cannot give you legal advice.

HAMILTON COUNTY -----INDIANA-----

Information for Volunteer Attorneys

Thank you for your willingness to participate in the Legal Self-Help Center Clinic ("the Center") for unrepresented litigants in Hamilton County. This program is designed to improve Court access and efficiency, while reducing unnecessary continuances for unrepresented litigants unfamiliar with the Courts.

- ❖ IMPORTANT CONFLICT OF INTEREST INFORMATION: Rule 6.5 of the Indiana Rules of Professional Conduct was recently enacted to provide guidance to attorneys who provide assistance in Court-based self-help Centers. The rule indicates that an attorney participating in a Center operated by the Court or certain nonprofit legal providers is not subject to conflict of interest rules unless:
- ❖ --the attorney is personally aware that such service involves a conflict of interest; or
- ❖ --the attorney knows that another attorney in the attorney's law firm is disqualified.
- See rule 6.5 for more detail and substantial commentary should you have questions.
- Services provided by the Center are limited to assistance in the completion of certain Court forms and guidance on the proper filing and administration of such. The Center is not designed to provide legal advice and no attorney/client relationship exists except as defined by Rule 6.5. If you feel the participant needs additional legal advice, feel free to provide the Legal Resource Options flier. If you would like to take the matter as a pro bono, please inform Legal Help Center receptionist or attorney so the participant can be routed through the appropriate intake process. Center volunteers cannot accept the participant's matter directly through the Center and may not accept participants as paying client under any circumstances.
- ❖ Because the Center is part of the Supreme Court's Family Court Project, participants should only be provided forms approved by the Supreme Court and available through the judiciary's website. Please do not bring any of your own forms or provide materials not approved in advance by the Center.
- Please remember that participants have little income any may be quite frustrated with their matter and life situation. Some participants may have limited literacy skills or face other barriers that they may inform you about. Take care in providing direction and instruction in lay language to ensure that the participants understand you and your guidance.
- ❖ Your time spent assisting participants will be added to your pro bono hours at the Center.

THANK YOU FOR YOUR SERVICE.

Representing Yourself in Court: What you need to know

The Indiana Supreme Court recommends against your attempting to proceed in court without the representation of a lawyer. The Court also recognizes the fact that in some instances people choose not to hire an attorney or cannot afford to hire one. Representing yourself in court should not be taken lightly, and there are many instances in which hiring an attorney is a good idea. In fact, we suggest that even if you use the forms provided on this site that you still talk with an attorney prior to submitting them to a court in order to achieve the best result possible.

Before deciding whether or not to represent yourself, you should know what will be expected of you. The Court has created the video below to provide information about the court process and what your responsibilities will be if you represent yourself. Remember that this video and the assistance offered by this website apply to civil cases. If you are charged with a criminal offense, the court can appoint an attorney for you if you cannot afford to hire one.



Family Matters: Choosing to Represent Yourself in Court

Web Address: http://www.in.gov/judiciary/2616.htm

This video provides information about your responsibilities and the procedures you must follow if you choose to represent yourself. **RECOMMENDED**



Representing Yourself in Indiana Small Claims Court (Except Marion County)

Web Address: http://www.in.gov/judiciary/3966.htm RECOMMENDED

HAMILTON COUNTY LEGAL SELF-HELP CENTER FOR UNREPRESENTED LITIGANTS

COURT FORM USAGE

IMPORTANT NOTICE: The attached forms were created by the Courts to assist individuals without an attorney to complete certain legal actions in the family courts. You should closely read the instructions, including the information on their limited used, before you file your case with the Court. Although the forms are accepted in Hamilton County, individual judges and courtrooms may require other materials to complete your case. You must also follow each court's rules and are subject to all other court requirements.

Volunteers with the Center cannot provide you with legal advice and cannot represent you in Court. Volunteers will only assist you with the attached forms and by providing legal and procedural information regarding their completion and filing.

It is better to be represented by an attorney when you go to court. If you can obtain the resources to hire an attorney, please ask the volunteer for information on the Hamilton County Bar Association.

Indiana State Court

Self-Service Forms

Court Forms

The forms on the courts.in.gov website are prepared for your convenience. They do not explain the law and are not a substitute for legal representation. Before going to court, you should always seek advice from a lawyer, including having a lawyer review your forms before you file them. See below for more information about your rights and responsibilities.

Family Law & General Civil Forms

Form packets with instructions and checklists are available for the following types of civil cases:

- <u>Child Support</u> Web Address: http://www.in.gov/judiciary/selfservice/2483.htm
- Contempt Web Address: http://www.in.gov/judiciary/selfservice/2484.htm
- <u>Continuance</u> Web Address: http://www.in.gov/judiciary/selfservice/2336.htm
- <u>Divorce</u> Web Address: http://www.in.gov/judiciary/selfservice/2486.htm
- Fee Waiver Web Address: http://www.in.gov/judiciary/selfservice/2487.htm
- Name Change Web Address: http://www.in.gov/judiciary/selfservice/2488.htm

Protection Order Forms

A petition for a protection order, no contact order, or restraining order may be filed online from the comfort and privacy of a domestic violence shelter.

• Learn about getting a protection order and where to go for help

Hamilton County:

Prevail, Inc. - 1100 South 9th Street, Suite 100,

Noblesville, IN 46060 Phone: 317.773.6942

Web address: http://www.prevailinc.com/

Small Claims

Damages in a small claims case are limited to \$6,000. Marion County is the only county with special small claims courts, and the rules for small claims in Marion County differ from those in the rest of the state.

- <u>Small Claim outside Marion County</u> Address: http://www.in.gov/judiciary/2710.htm
- <u>Video: Going to Small Claims Court without a Lawyer</u> Address: http://www.in.gov/judiciary/3966.htm

Your Rights and Responsibilities

Forms DO NOT explain the law and may not provide all of the information necessary for a court to reach a decision. Users have permission to use the files, forms and information presented here for any lawful purpose. The files and forms may not be used to engage in the unauthorized practice of law.

The Self-Help Center assumes no responsibilities and accepts no liability for actions taken by users of these documents, including reliance on their contents. All documents and forms are under continual revision. If you are not using these forms right away, or if you plan to use them repeatedly, we strongly recommend that you check in on a regular basis to make sure that the files you are using are the most current.

It is very important for you to know that when you sign a court document, you provide information to the court that may help or hurt your case. Before you sign any court document or get involved with a court case, it is strongly suggested that you talk with a lawyer to make sure you know your rights and all your legal options. If you choose to represent yourself you must be prepared. Although these forms have been prepared to help you represent yourself, you should know that certain courts have their own procedures and may not accept every form.

Small Claims Manual

Summary

The Small Claims Court allows every citizen to bring a lawsuit in an informal manner and does not require that a party hire an attorney. You may hire an attorney if you want; however, in most instances you will not be able to get the other party to pay your legal fees even if you win unless there is some written agreement making the other party liable for your attorney's fees.

The Small Claims Courts were created so that you would have a speedy, reasonably inexpensive, uncomplicated means for the determination of your claim. It is for your benefit. It is your right. Do not be afraid to use it.

The procedures are not complex. The Plaintiff fills out a simple form stating why the Defendant owes him or her money or that the Defendant has property which should be returned to the Plaintiff. Each party will explain his or her side of the story to the judge at trial. The judge may ask questions of each party to determine the complete facts of the case. The judge will make a decision based on the facts and evidence presented by the parties and on the law as it applies to the facts.

How to Use this Manual

This manual has been prepared to provide you with general knowledge of the operation of Small Claims Courts in County Courts, Superior Courts, and Circuit Courts. It does not address the specific jurisdiction or procedures of Marion County Small Claims Court. Marion County Small Claims Court is governed by Ind. Code § 33-34 et seq.

The manual does not cover all areas of the law or procedure, it does deal with many of the problem areas experienced in small claims court and, hopefully, will aid you in preparing your case. Keep in mind that the procedures outlined in this manual may be subject to change by local court rule, practice or custom.

Please read the manual from cover to cover.

- Indiana Small Claims Manual
- Indiana Small Claims Rules
- Video: Representing Yourself in Small Claims Court (RECOMMENDED)

Help with Mortgage Foreclosures

This website is for borrowers, attorneys, housing counselors, and anyone else who would like to learn more about mortgage foreclosure settlement conferences.

Borrowers in foreclosure cases filed after July 1, 2009, have the legal right to request a settlement conference with the mortgage lender. The purpose of these settlement conferences is for the borrower and the lender to engage in negotiation and, if possible, come to a mutually-satisfactory "workout" in place of foreclosure. However, there are a few exceptions to the new settlement conference law, and not all borrowers will qualify (see "Is A Settlement Conference Right For Me?" below).

On this site, you will find information on what a settlement conference is (and what it is not), how to request a settlement conference, what documents are needed in order for the lender to make a decision, what "workout" options are available, and ways to receive assistance through free or low-cost legal services.

How Can I Get Help With Foreclosure or Preparing for a Settlement Conference? Borrowers looking for help with mortgage foreclosures or in preparing for a settlement conference should contact the Indiana Foreclosure Prevention Network (IFPN) at 1-877-GET-HOPE or http://www.877gethope.org/. The IFPN is made up of state-certified foreclosure prevention counselors who specialize in reviewing homeowners' financial situations to help determine options to avoid foreclosure. All services provided by the IFPN are free and confidential.

CONTENTS

- What is a Settlement Conference?
- Is a Settlement Conference Right for Me?
- How Do I Request a Settlement Conference?
- What if I need more time to prepare for my settlement conference?
- What Items Do I Need?
- What Workout Options Are Available To Me?
- Can I Get An Attorney?

Instructions for Completing Foreclosure
Notices required by SEA No. 492

"Get Help - Get Hope" Pre-Suit Notice
Settlement Conference Notice
Spanish Version

HAMILTON COUNTY

COURT FORMS

Small Claims Forms

Web Address: http://www.hamiltoncounty.in.gov/192/Court-Forms

- 1. Superior Court No. 4
- 2. Superior Court No. 5
- 3. Superior Court No. 6

Superior Court No. 4

- 1. Affidavit of Debt (PDF)
- 2. Affidavit of Employee for Small Claims Rule 8 (PDF)
- 3. Certificate of Compliance for Small Claims Rule 8 (PDF)
- 4. Final Order in Garnishment (PDF)
- 5. Green Confidential Form for Social Security Number (PDF)
- 6. Interrogatories Propounded to Garnishee Defendant (Employer) (PDF)
- 7. Motion for Continuance (PDF)
- 8. Order in Garnishment to Financial institution (PDF)
- 9. Plaintiffs Motion to Dismiss (PDF)
- 10. Plaintiffs Petition to Release Judgment (PDF)
- 1. Post Judgment Payment Agreement (PDF)
- 2. Pre Trial Settlement Agreement (PDF)
- 3. Small Claims Complaint (PDF)
- 4. Small Claims Counterclaim (PDF)
- 5. Small Claims Eviction Complaint (PDF)
- 6. Verified Motion for Default Judgment (PDF)
- 7. Verified Motion for Proceedings Supplemental and Order to Appear (PDF)
- 8. <u>Verified Motion for Proceedings Supplemental Order and Summons (Employer) (PDF)</u>
- 9. Verified Motion for Proceedings Supplemental Order and Summons (PDF

Superior Court No. 5

- 1. Affidavit for Default (PDF)
- 2. Affidavit of Debt (PDF)
- 3. Alias Small Claims Complaint (PDF)
- 4. Amended Small Claims Complaint (PDF)
- 5. Certificate of Compliance for Small Claims Rule 8 (PDF)
- 6. Certificate of Compliance SC 8 (PDF)
- 7. Eviction Complaint (PDF)
- 8. Exemption Claim and Request for Hearing (PDF)
- 9. Plaintiffs Motion to Dismiss (PDF)
- 10. Post Judgment Payment Agreement (PDF)
- 11. Pre Trial Settlement Agreement (PDF)
- 12. Release of Judgment and Request to Terminate Garnishment Order (PDF)
- 1. Request to Release Judgment and Order thereon (PDF)

- 2. Resolution (PDF)
- 3. Small Claims Complaint (PDF)
- 4. Small Claims Complaint CCS Entry (PDF)
- 5. Small Claims Counterclaim (PDF)
- 6. Small Claims Cross Claim (PDF)
- 7. Verified Motion for Continuance (PDF)
- 8. <u>Verified Motion for Proceedings Supplemental (PDF)</u>
- 9. Verified Motion for Proceedings Supplemental Employer (PDF)
- 10. Verified Motion for Proceedings Supplemental Financial Institution (PDF)
- 11. Verified Motion to Set Aside Default Judgment (PDF)

Superior Court No. 6

- 1. Affidavit for Default (PDF)
- 2. Affidavit for Default Eviction (PDF)
- 3. Affidavit of Debt (PDF)
- 4. Affidavit of Indigency and Request for Appointment of Counsel (PDF)
- 5. Alias Small Claims Complaint (PDF)
- 6. Amended Small Claims Complaint (PDF)
- 7. Certificate of Compliance for Small Claims Rule 8 (PDF)
- 8. Final Order in Garnishment (PDF)
- 9. Green Confidential Form (PDF)
- 10. Interrogatories Propounded to Financial Institution (PDF)
- 11. Order in Garnishment to Financial Institution (PDF)
- 12. Order to Answer Interrogatories (PDF)
- 13. Plaintiffs Motion to Dismiss (PDF)
- 14. Post Judgment Payment Agreement (PDF)
- 1. Pre Trial Settlement Agreement (PDF)
- 2. Release of Judgment and Request to Terminate Garnishment Order (PDF)
- 3. Request to Release Judgment (PDF)
- 4. Resolution (PDF)
- 5. Small Claims Complaint (PDF)
- 6. Small Claims Counterclaim (PDF)
- 7. Small Claims Cross Claim (PDF)
- 8. Small Claims Eviction Complaint (PDF)
- 9. <u>Verified Motion for Continuance (PDF)</u>
- 10. Verified Motion for Default Judgment (PDF)
- 11. Verified Motion for Proceedings Supplemental and Order to Appear (PDF)
- 12. <u>Verified Motion for Proceedings Supplemental Order and Summons and Interrogatories to Defendant</u> and
- 13. Verified Motion to Set Aside Default Judgment (PDF)

Local Rules Forms

- 1. Affidavit of Indigency (LR-29-DN01-602.20, LR29-DN02-603.20) Form DN 01/02 602/03 (PDF)
- 2. Financial Declaration (LR29-FL00-402.10) Form 402B (PDF)
- 3. Indiana Child Support Obligation Worksheet (LR29-FL00-402.10) (PDF)
- 4. Modification of Court Reporter Policy (LR29-AR15-109) Form AR 15-109 (PDF)
- 5. Out of State Travel Permit (PDF)
- 6. Request to Waive Misdemeanor Initial Hearing (LR29-CR00-306.20) Form CR-306 (PDF)
- 7. Transcript Request Form (PDF)

Hamilton County Legal Self-Help Center

Legal Assistance Options

While the Center can assist you in the selection and completion of certain Court forms and provide limited referrals for other types of assistance, the Center will not be providing legal advice or assistance or representing you in Court. It is best to have an attorney represent you in a legal matter. If you **CAN** afford to hire an attorney, you should do so. The Hamilton County Bar Association may be able to help you begin your search for an attorney with expertise in the area of law for which you need help.

Hamilton County Bar Association 1312 Maple Avenue Noblesville, IN 46060 (***)***-***

If you **CANNOT** afford an attorney, the agencies listed below may be able to help you based upon certain income and/or asset limits. Please feel free to contact:

District 6 Access to	P.O. Box 325	Guardianship,
Justice, Inc.	New Castle, IN 47362	Mortgage Foreclosure,
	(800) 910-4407	Divorce, Small Estates,
	www.myjustice.org	Landlord/Tenant, and
	Online intake:	other civil matters. No
	http://www.in.gov/judiciary/probono/files/providers-	Criminal, Fee-
	6-intake.pdf	Generating Cases, or
	Office intake: 765-521-6979	Immediate Assistance.
Indiana Legal	151 N. Delaware, Suite 1800	Family Law, Consumer
Services-Indianapolis	Indianapolis, IN 46204	Law, Senior Law,
•	(800) 869-0212	Housing Issues, and
	(317) 631-9410	Public Benefits
	www.indianajustice.org	
	Hours:	
	Phone intake: Mon. & Fri., 9-11 a.m.; Wed.1-3 p.m.	
	Walk-in intake: Wed 9-11 a.m.; Tu/Th 1-3 p.m.	
Indianapolis Legal	615 N. Alabama, Suite 122	Adoption, Paternity,
Aid Society, Inc.	Indianapolis, IN 46204	Visitation,
	(317) 635-9538	Guardianship, Support,
	Office hours; MonFri. 9 a.m5 p.m.	Custody, Divorce,
	www.indylas.org	Housing, Bankruptcy,
		and Debt Collection.
		No assistance for fee-
		generating cases, and
		criminal issues.
Neighborhood	First Presbyterian Church of Noblesville	Landlord/Tenant,
Christian Legal	1207 Conner Street	Guardianship,

Clinic	Noblesville, IN 46060 Mandatory Intake-Held every Thursday Registration: 12 p.m. www.nclegalclinic.org/intakeschedule.aspx	Custody/Visitation, Immigration, Bankruptcy, Child Support, Housing/Foreclosure, Wills/Estate, Disability Benefits, Discrimination, Consumer/Debt, and Tax Controversies. No Criminal Issues or Divorce cases.
Indiana Legal Services-Senior Law Project	Indianapolis, IN 46204 (317) 631-9410 Eligibility: Persons 60 and over. Screening: Office hours: MonFri. 8:30-5:00. Intake hours: call (317) 631-9424 or 1-800 number and leave a message (will receive a call back); walk in to office Monday-Friday between 9 am and 4 pm for interview (subject to staff availability). www.indianalegalservices.org/node/588/indianalegal-services-senior-law-project	Estate Planning; Public Benefits; Housing; Consumer; Family
American Civil Liberties Union of Indiana	1031 E. Washington St. Indianapolis, IN 46202 (317) 635-4059 ext. 102 www.aclu-in.org	Civil Liberties Constitutional Rights Violations
Disability Legal Services of Indiana, Inc.	5954 N. College Avenue Indianapolis, IN 46220 (317) 426-7733 (317) 282-0608 (f) Intake form on web at www.disabilitylegalserviesindiana.org	Adults and children with disabilities who have issues in educational matters, probate, and disability law compliance
Hoosier Environmental Council	3951 N. Meridian, Suite 100 Indianapolis, IN 46208 (317) 685-8800 (317) 686-4794 (f) www.hecweb.org/about/legal-defense-fund/	Environmental and Land-Use Issues

Domestic Violence Notice: If the safety of you or your children is in danger, call 911 for help or 211 to seek the assistance of a local domestic violence organization.

Hamilton County:

Prevail, Inc. - 1100 South 9th Street, Suite 100, Noblesville, IN 46060

Phone: 317.773.6942
Web address: http://www.prevailinc.com/

Legal Issues Affecting Families

Resources: Websites

Indiana Supreme Court Self-Service Legal Center

http://courts.IN.gov/selfservice/

Provides information, court forms, and various resources to those persons wishing to represent themselves in court.

Indiana Courts and Clerk's Offices

http://www.in.gov/judiciary/2794.htm

Provides links to all courts and clerks offices in Indiana.

Indiana Government - Family Website

http://www.in.gov/core/family.html

Provides information and links to resources on various family issues.

Indiana Department of Child Services: Child Support Bureau

http://www.in.gov/dcs/support.htm

Provides information and links to the Title IV-D Child Support Program.

Indiana Online Child Support Calculator

http://www.in.gov/judiciary/2625.htm

Online tool for calculating child support obligation based on the Indiana Child Support Guidelines.

Indiana State Bar Association

http://www.inbar.org/

Provides information on local resources to contact for attorney referral.

Indiana Legal Services Organization

http://www.indianalegalservices.org/

Indiana Legal Services provides free civil legal assistance to eligible low-income people throughout the State of Indiana; website provides information on various legal topics, including how to find a lawyer.

Indiana Pro Bono Commission

http://courts.IN.gov/probono/

Provides information on how to obtain a pro bono attorney.

Indiana Code Title 31 (Family Law)

www.in.gov/legislative/ic/code/title31/

Current Indiana Parenting Time Guidelines

http://www.in.gov/judiciary/rules/parenting/

Previous Indiana Parenting Time Guidelines

http://www.in.gov/judiciary/files/order-rules-2013-0107-parenting.pdf

This order, which amended the parenting time guidelines in 2013, shows the language of the previous parenting time guidelines and the additions of the new language.

Learn about Indiana's Court System

http://www.in.gov/judiciary/2646.htm

Useful Websites to Develop Parenting Time Plans

Arizona Parenting Time Guidelines, available at:

http://www.azcourts.gov/Portals/31/ParentingTime/PPWguidelines.pdf

Michigan Parenting Time Guidelines, available at:

 $\underline{\text{http://courts.mi.gov/Administration/SCAO/OfficesPrograms/FOC/Pages/Parenting-Time-Guideline.aspx}}$

Missouri Parenting Plan Guidelines, available at:

 $\frac{http://www.courts.mo.gov/sup/index.nsf/0/629aab74004234eb862566e2006b5181/\$FILE/plan.PDF}{}$

Resources: Phone Numbers

Indiana Department of Health - Family Helpline

855.HELP.1ST (855.435.7178)

Communication specialists are on duty from 7:30 AM to 5:00 PM EST Monday – Friday and provide information and referrals on a variety of topics including obtaining early prenatal and child health care; accessing Medicaid and WIC providers; locating emergency housing, food pantries, utility assistance; and literacy, vocational and GED programs.

Indiana Coalition Against Domestic Violence

800.332.7385

Toll-free 24-hour hotline providing emotional and practical support that includes, but is not limited to the following: crisis intervention, criminal justice information, personal advocacy, information and referral services, and violent crime compensation assistance.

Indiana Child Abuse Hotline

800.800.5556

Call toll free 24 hours a day, 7 days a week to report suspected child abuse or neglect.

Indiana Child Support Hotline

800.840.8757

Automated payment information is available 24 hours a day, 7 days a week, and customer service representatives are available from 7:00 AM until 6:00 PM EST Monday-Friday.

E-FILING

Pilot Program Now in Hamilton County

File court documents online 24 hours a day, 7 days a week

BENEFITS:

Free Training for filers

- REDUCED AVERAGE FILING TIMES
- ELIMINATES ROUTINE TRIPS TO COURTHOUSE FOR SUBSEQUENT FILINGS
- INCREASED ACCESS TO FILE STAMPED COPIES OF YOUR COURT DOCUMENTS

BEFORE YOU E-FILE

- READ TRIAL RULE 86 GOVERNING E-FILING
- READ OUR E-FILING
 INSTRUCTIONS TO ENSURE
 YOUR CASE IS FILED WITHOUT
 ERROR
- ATTEND A TRAINING COURSE ONLINE TO LEARN THE BASICS
- SUBSCRIBE TO UPDATES ABOUT INDIANA'S E-FILING PROJECT

To register for e-filing, please visit http://www.in.gov/judiciary/4274.htm



E-file Indiana

Courts.in.gov/efile

Statewide e-filing has been made possible by a partnership between the Indiana Supreme Court, leaders from the executive and legislative branches of state government, as well as members of the bar, clerks, and judges.

HAMILTON COUNTY LEGAL SELF-HELP CENTER

E-filing Instructions

As part of Indiana's <u>statewide e-filing project</u>, several e-filing service providers (EFSP) are made available to attorneys and litigants. The self-help information and training available from the providers applies generally to the software, but may not be Indiana-specific. The following instructions will help you provide the correct information to the court.

Do you need help

choosing the right

legal forms?

Court Forms

Prepare Court Forms

- Indiana Supreme Court Forms: Visit <u>Self-Service Legal Center</u> Web address: http://www.in.gov/judiciary/selfservice/2333.htm
- The forms on the courts.in.gov website are prepared for your convenience. They do not explain the law and are not a substitute for legal representation. Before going to court, you should always seek advice from a lawyer, including having a lawyer review your forms before you file them.
- Small Claims Forms: Visit <u>Hamilton County Court Forms</u>
 Web Address: http://www.hamiltoncounty.in.gov/192/Court-Forms
- Hamilton County Self-Help Legal Center
 - o Assist unrepresented litigants with on-line filing
 - Help un-represented litigants determine what Court forms they need to file
 - Provide legal and procedural information regarding court process

Center participants must meet strict financial eligibility standards established by the federal government to utilize all services offered. Limited services are available to participants who do not meet strict financial eligibility standards and/or own substantial property.

Confidential Information

Instructions for dealing with information that is confidential or not for public access

If you are requesting that a pleading be filed as confidential, please refer to Administrative Rule 9 and the Guidance below to ensure that you are filing the proper Notice of Exclusion from Public Access filing code and document. Address: http://www.in.gov/judiciary/rules/admin/index.html#_Toc439242056

Understanding Confidentiality

By law, court records are available to the public, and upon request anyone can look in almost any court file. Courts that have the ability to post court information on the Internet may post non-confidential court information on the Internet. The law also provides that certain information must remain confidential even if it is part of a court record.

	Information that should be filed as confidential includes:
	Social Security numbers
	Bank account numbers
	• Tax records
	• PIN numbers
	Medical records
	Child abuse records
	Note: These instructions apply to electronic filings. <i>In non-electronic filings confidential information must be filed on light green paper</i> so that everyone can easily identify it and not release it to the public.
Service by Email	Using the Public Service List
·	
	The public service list is a directory of people who have agreed to receive by email service of filings in trial and appellate cases. By designating a contact as "Public" you agree to accept service through that contact. Who you may add to the list is limited:
	You may add yourself.
	 If you have a firm-wide account with authorization to manage other contacts, you may add members of your firm. You may not add other parties, regardless of whether you have their permission. They are responsible for adding themselves to the list.
	If the party you wish to serve is not already on the public service list, you may not serve them by email. Instead, you must execute service conventionally.
	All of Indiana's e-filing providers offer a way for users to add a contact to the public service list. Instructions for this vary by provider, so if you need help with this feature, please seek support through the provider you've chosen to use.
Scan Documents	Guidelines for scanned documents
	 Use the following settings when scanning: Resolution of 300 DPI (dots per inch, also PPI or pixels per inch) For black and white: Scan to PDF or Tagged Image File Format with Group 4 compression (TIFF with G4 compression) When color is essential, use: Scan to PDF, JPG or PNG format, 8 bit
	 (bpp or bits per pixel), with lossy data compression If scanning to TIFF, JPG, or PNG, convert to PDF before uploading Always apply optical character recognition (OCR)

General instructions to help ensure your case is filed without errors:

If you are requesting a specific Court within a County for case creation, the filing document should indicate which Court is requested. If the filing document does not have an indication, the filing will be processed in accordance with local rules for that case type within the specific County.

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STATE OF INDIANA ) IN THE HAMILTON COUNTY COURTS
)SS:
COUNTY OF HAMILTON ) CAUSE NO. 29D03
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- Each filing must have a Filing Code, Document, and Related Party selected. The related party indicates the party filing the pleading. The related party shows in the case management system as the "filed by" party. Exhibits should be filed as attachments to the original filing code. See example image.
- Each filing must contain one lead document. If the lead document is too large, the document can be filed in sections using the attachment option. Document size should be limited to 25MB. An envelope cannot be larger than 35MB.
- If you are filing a document, such as a summons or letters, that requires updating by the Clerk, the filer must select the Proposed Notice filing code. The documents should be attached as lead documents. Do not attach proposed notice documents to other pleadings.
- Each pleading should be its own Filing Code with appropriate documents attached. For example, an appearance should be a separate filing code and not part of the initial petition filed.
- If you are filing a proposed order with a motion, the proposed order must be submitted using a separate filing code called "Proposed Order." The proposed order will be the lead document on that filing code. Do not attach a proposed order to other pleadings.

Your 1	Notes	or Q)uesti	ions:
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E-FILE SERVICE PROVIDERS:

Choose an E-filing service provider and register to e-file

Indiana's <u>e-filing model</u> will provide the public with a choice from among several e-filing service providers.

Any company that wishes to become an e-filing service provider in Indiana must complete a certification process through the Indiana Supreme Court.

Service providers currently certified in Indiana are listed below. As additional service providers are certified, they will be listed here.

To start filing online click on the following link to <u>Indiana Courts</u> or use address http://www.in.gov/judiciary/4274.htm.

* Efile. incourts.gov	GreenFiling	doxpop™	
Start filing	Start Filing	Start filing	
Online training is available to help filers and law firm administrators get started with e-filing.	Learn about the features offered (PDF) by GreenFiling and sign up for training.	Review Doxpop's <u>training</u> and <u>self-help resources</u> .	
www.in.gov/judiciary/efile/ tyler.html	www.in.gov/judiciary/efile/green- filing.html	www.in.gov/judiciary/efile/doxpo p.html	
One hour trainings offered four (4) times a month.	One hour trainings offered four (4) times a month.	Video Training: Doxpop produces a number of short instructional videos on a variety of topics related to Doxpop: court case access, electronic filing, land records access, online ticket payment, and user/account administration. Browse the full catalog.	
Stay Informed	You will be notified by email when certain events happen in your case, such as: • Your document was filed • Opposing party e-filed a document • Court issued an order As your case proceeds, you will have online access to documents e-filed by the other parties in your case or documents issued by the court. You can return to any e-filing service provider if you need to file additional documents.		

RESOURCES (ONSITE COPIES)

- 1. HAMILTON COUNTY LOCAL RULES-50 PAGES
- 2. PRO SE HANDBOOK (PDF)-29 PAGES
- 3. SMALL CLAIMS LITIGANTS' BOOKLET- 9 PAGES
- 4. INDIANA SUPREME COURT SELF-HELP COURT FORMS

INFORMATIONAL FLYERS

- 1. E-FILE INSTRUCTIONS
- 2. LEGAL ASSISTANCE OPTIONS
- 3. INDIANA SUPREME COURT WEB LINK TO COURT FORMS
- 4. HAMILTON COUNTY WEB LINK TO SMALL CLAIMS FORMS